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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Application No: 10/624,272 - #7479 Examiner: Roy Dean Gibson
Applicant(s): Jean-Pierre Lalonde, et al. Group Art Unit: 3739
Filing Date: July 22, 2003
Entitled: COOLING SYSTEM
Attorney Docket No. 21819-121CON

Sir:

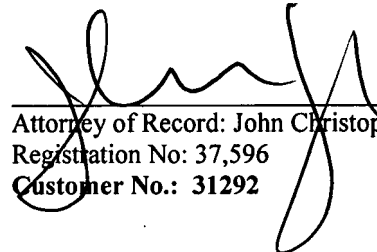
Transmitted herewith is a Reply to the Office Action mailed June 19, 2007.
The following checked items are applicable:

- ☒ A Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent is herewith enclosed, as well as the small-entity terminal disclaimer fee of \$65.00 which is being charged to credit card.
- ☐ A Petition for Extension of Time and the small-entity extension fee of \$60.00 for filing a response within the first month is herewith enclosed.
- ☐ Copy of Notice of Change of Correspondence Address is enclosed.

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent: 10	6	4	x \$ 200.00 =	\$ 800.00
Total: 31	31	0	x \$ 50.00 =	\$ 0
Multiple Dependent Claims (1st presentation)			+ \$ 360.00=	\$ 0
SUBTOTAL ADDITIONAL FEE				\$ 0
Small Entity filing, divide by 2.				\$ 400.00
TOTAL ADDITIONAL FEE				\$ 400.00

- ☒ The fee has been calculated above ; enclosed is Form PTO-2038 in the amount of \$465.00, including \$400.00 additional claims fee and \$65.00 for Terminal Disclaimer fee
- ☐ A self-addressed, stamped postcard for verification and receipt is enclosed.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Date: July 23, 2007


Attorney of Record: John Christopher
Registration No: 37,596
Customer No.: 31292

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PTO/SB/26 (10-00)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**Docket Number (Optional):
21819-121CON

In re Application of: Jean-Pierre Lalonde, et al.

Application No.: 10/624,272

Filed: 07/22/2003

For: COOLING SYSTEM

The owner*, CryoCath Technologies Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,635,053. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

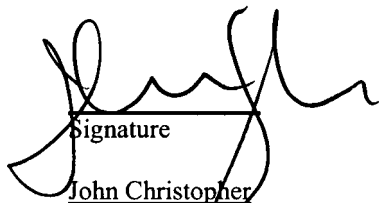
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.



July 23, 2007

Date

Signature

John Christopher
Typed or Printed Name37,596(954) 828-1488

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

07/30/2007 CNEGAI 00000019 10624272

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP §324.

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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